

REMARKS

In accordance with the present Action, the applicants have been required to restrict examination to one of the following inventions under 35 USC § 121:

- I. Claims 1-9 and 25-33, drawn to a method for reducing potential for substance abuse in skin-worn transdermal patch devices containing residual amounts of abusable substances of interest after removal from a first user; and
- II. Claims 10-17 and 18-24, drawn to a system for reducing potential for substance abuse in skin-worn transdermal patch devices containing residual amounts of abusable substances after administration to a first user.

In accordance with the above requirement, the applicants elect the claims of Group II directed to the device or system.

Applicants, however, respectfully traverse the Election/Restriction Requirement. It is believed that the claims to the method are particularly applicable to skin-worn transdermal patch devices of the class which includes the claimed devices. Thus, it is not believed that the process can be practiced with another, materially different product. While it is possible that the product might be used with a different process for reducing the potential of substance abuse, it is further not believed that such would be

materially different from that disclosed and claimed in the present application.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the Election/Restriction Requirement and examine all of the claims.

Early examination and allowance of the claims is respectfully requested.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Response to the Election/Restriction Requirement in response to the Official Action mailed November 8, in application Serial No. 10/763,628, filed January 23, 2004, of Carter R. Anderson et al, entitled "ABUSE POTENTIAL REDUCITON IN ABUSABLE SUBSTANCE DOSAGE FORM", and a transmittal letter are being sent by facsimile transmission to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 7, 2006.



Barbara L. Davis

On behalf of C. G. Mersereau

Date of Signature: December 7, 2006